

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

STATE OF NORTH DAKOTA,
Plaintiff,
vs.
THE UNITED STATES DEPARTMENT OF
INTERIOR; DEBRA ANN HAALAND, in her
official capacity as Secretary of Interior; THE
BUREAU OF LAND MANAGEMENT; NADA
CULVER, in her official capacity as acting
Director of the Bureau of Land Management; and
JOHN MEHLHOFF, in his official capacity as the
acting Director of the Montana-Dakotas Bureau of
Land Management,
Defendants.

ORDER

Case No. 1:21-cv-148

THE UNITED STATES DEPARTMENT OF
INTERIOR; DEBRA ANN HAALAND, in her
official capacity as Secretary of Interior; THE
BUREAU OF LAND MANAGEMENT; NADA
CULVER, in her official capacity as acting
Director of the Bureau of Land Management; and
JOHN MEHLHOFF, in his official capacity as the
acting Director of the Montana-Dakotas Bureau of
Land Management,

On November 8, 2022, the Court issued an order granting North Dakota's unopposed Motion for Stay of Case Deadlines, staying the above-captioned case, and directing North Dakota to file a status report by January 9, 2023. (Doc. No. 59).

On January 5, 2023, North Dakota filed a new case challenging Defendants' cancellations of additional quarterly lease sales cancelled after the initiation of the above-captioned case and requesting the Court to, among other things, issue a preliminary injunction. See North Dakota v. United States, et al., Case No. 1:23-cv-004 (D.N.D.).

On January 9, 2023, North Dakota filed a status report in the above-captioned action as previously directed by the Court. (Doc. No. 60). Therein it requested the Court to continue the stay in the above-captioned action pending resolution of its request for a preliminary injunction in Case No. 1:23-cv-004.

On January 9, 2023, Defendants filed a response to North Dakota's status report (Doc. No. 61). They advise that they take no position on North Dakota's request to continue the stay but reserve the their right to (1) assert all defenses and objections in Case No. 1:23-cv-004 , and (2) seek dismissal of either the above-captioned case or Case No. 1:23-cv-004 on the ground that North Dakota cannot simultaneously pursue multiple suits against them over the same controversy.

The Court **GRANTS** North Dakota's request to continue the stay. This matter shall be stayed pending further order. North Dakota shall file another status report by March 10, 2023.

IT IS SO ORDERED.

Dated this 18th day of January, 2023.

/s/ Clare R. Hochhalter
Clare R. Hochhalter, Magistrate Judge
United States District Court